

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ANGELO D. JOHNSON,

Plaintiffs,

-against-

MICHAEL A. SCHIFF, et al.,

Defendants.

Case No.: 17-cv-08000 (KMK)

**PARTIAL AND FINAL  
JUDGMENT**

Whereas the above entitled action having been assigned to the Honorable Kenneth M. Karas, U.S.D.J.; and the Court thereafter having issued an Opinion and Order, dated September 26, 2019, which, inter alia, dismissed, without prejudice, the claims asserted against Defendant Kitchen Manager Dale Fraser (“Fraser”); and the Court, having permitted the plaintiff to file a Second Amended Complaint within 45 days of its September 26, 2019 Opinion and Order (Dkt. 221, at p. 59); and the plaintiff having failed to file a Second Amended Complaint within 45 days of the Court's September 26, 2019 Opinion and Order; and the Court, on February 4, 2020, having directed the plaintiff to show cause, no later than March 4, 2020, as to why the plaintiff's claims which were dismissed without prejudice should not be dismissed with prejudice (Dkt. 224); and the plaintiff having failed to show cause in accordance with the Court's February 4, 2020 Order to Show Cause; it is,

ORDERED, ADJUDGED AND DECREED: that Final Judgment is entered in favor of Defendant Fraser in accordance with FRCP Rule 54(b).

Dated: May 20, 2020



Hon. Kenneth M. Karas